Case 1:07-cv-10639-LAK-AJP ADDIDMNIITED STATES DISTRICT COURT Page 1 of 18 FILE NO: 08-6087 SOUTHERN DISTRICT OF NEW YORK FILED ON: CASE NO.: 07-CV-10639 (LAK) WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS, INC. Plaintiff(s)-Petitioner(s) -VS-AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Defendant(s)-Respondent(s) STATE OF NEW YORK) COUNTY OF SCHENECTADY ss.} I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State. On JULY 14, 2008 at 2:25 P.M. SE MIMONS DEA CIVIL ACTION, FIFTH-PARTY COMPLAINT, NOTICE OF CONFERENCE, INDIVIDEAL PRACTICES OF MAGISTRATE IT DUE ANDREW L. FECK, ELECTRONIC CASE FILING BULES & INSTRUCTIONS Deponent served a true copy of bearing index number: 07 CV-10639 and date of filing: upon PYRAMID FIRE PROTECTION, INC. at address: THE SECRETARY OF STATE, 99 WASHINGTON AVENUE City & State: ALBANY, NEW YORK 12210 MANNER OF SERVICE} PERSONAL By delivering to and leaving with personally} known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served. SUITABLE AGE PERSON By delivering and leaving with personally) at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion. **AUTHORIZED AGENT** By delivering and leaving with CAROL VOGT the agent for service on the person in this proceeding designated under Rule 306 BCL. Service having been made to such person at the place, date and time above. AFFIXING TO DOOR, ETC. By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times: Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail certified mail registered mail return receipt requested. Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes. **DESCRIPTION**} deponent describes the person actually served as: Sex: FEMALE Race/Skin Color: WHITE Hair Color: BROWN Approximate Age: 54 years Approximate Height: 5'4" Approkimaté Weight: 125 pounds Other: Subscribed and sworn before me on JULY 14, 2008 Karen E Rock #01R06065213 Kathryn A. Rock-McClosky Aark E. McClosky Notary Public, State of New York Commissioner of Deeds eponent) Qualified in Schenectady County Attorney Info: Qualified in Schednectady County Commission Expires 10/09/2009 Michael A. Cardozo Commission Expires 08/27/2004 350 Jay Street Eighth Floor

Brooklyn, New York 11201

OUNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	FILED ON:	FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS,	INC.	Plaintiff(s)-Petitioner(s)
AMERICAN MANUFACTURERS MUTUAL INSURANCE	-vs- COMPANY	Defendant(s)-Respondent(s)
STATE OF NEW YORK} COUNTY OF SCHENECTADY ss.}		
I, Mark E. McClosky being duly sworn, deposes and says not a party in this proceeding and resides in New York St	s that deponent is over the ate.	age of eighteen years, is
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MANNER OF SERVICE} PERSONAL		
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UNITED STATES	:07-cv-10639-LAK-AJI DISTRICT CQURT RICT OF NEW YORK		ERWRCE07/18/20 .ED ON:	008 Page 3 of 18 FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROS	S CONSTRUCTION ASSOC	TATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANU	FACTURERS MUTUAL IN:	-VS-		
		SCIONICE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW Y COUNTY OF SCH	ORK} ENECTADY ss.}			
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MANNER OF SERV	/ICE}			
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wen E. Rock #01R06065213	Kathryn A. Rock-McClosky		/	
stary Public, State of New York	Commissioner of Deeds		Mark E. Mc	Closky
salified in Schenectady County	Qualified in Schednectady County	Attorney Info:	Deponent	
mmission Expires 10/09/2009	Commission Expires 08/27/2004	Michael A. Cardozo 350 Jay Street - Eighth Floor	1	
fidavit number: 20081103	37	Brooklyn, New York 11201		

UNITED TATES DISTRICT COURT SOUTH RN DISTRICT OF NEW YORK		LED ON:	FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS CONSTRUCTION ASSOCIAT	IONS, INC.		Plaintiff(s)-Petitioner(s)
ASSESSMENT	-VS-		
AMERICAN MANUFACTURERS MUTUAL INSUR	ANCE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW YORK} COUNTY OF SCHENECTADY ss.}			
I, Mark E. McClosky being duly sworn, deposes an not a party in this proceeding and resides in New Y	nd says that depone ork State.	ent is over the ag	ge of eighteen years, is
On JULY 14, 2008 at 2:25 P.M. Deponent served a true copy of bearing index number: 07-CV-10639and date of fili upon BOVIS LEND LEASE LMB, INC. at address: THE SECRETARY OF STATE, 99 WAS City & State: ALBANY, NEW YORK 12210	ng:		IDVAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTR
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Case 1:07-cv-10639-LAK-AJ UNITED STATES DISTRICT COURT	P ADICIDATE OF	SERFÜRCE07/1	8/2008 Page 5 of 18
SOUTHERN DISTRICT OF NEW YORK	F	ILED ON:	FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS CONSTRUCTION ASSO	CIATIONS, INC.		Plaintiff(s)-Petitioner(s)
ALIFONOANIANIA	-VS-		
AMERICAN MANUFACTURERS MUTUAL IN	SURANCE COMPAN	Y	Defendant(s)-Respondent(s)
STATE OF NEW YORK} COUNTY OF SCHENECTADY ss.}			o delicanto y respondentes
I, Mark E. McClosky being duly sworn, depos not a party in this proceeding and resides in No	es and says that depo ew York State.	nent is over the a	ge of eighteen years, is
On JULY 14, 2008 Deponent served a true copy of bearing index number: 07-CV-10639and date of upon TRACTEL, INC. at address: THE SECRETARY OF STATE, 99 City & State: ALBANY, NEW YORK 12210	of filing:		IVIDRIAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTI
MANNER OF SERVICE}			
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gen E Rock #01R06065213 Kathryn A Rock-McClosky		Mark I	E. McClosky
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ommission Expires: 10/09/2009 Qualified in Schednectady County Commission Expires: 08/27/2004	Michael A. Cardozo	/	
ffidavit number: 200811043	350 Jay Street - Eighth Flo Brooklyn, New York 1120	oor) [

Case 1:07-cv-10639 UNITED STATES DISTRICT COL	-LAK-AJP A Dogou	nvantaßerv	e d-07/18/200	98 Page 6 of 18
SOUTHERN DISTRICT OF NEW	YORK	FILED C		FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS CONSTRUCTION	ON ASSOCIATIONS, I	NC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANHEACTHRUS M	PPITAL INCOME AND AND AND	-VS-		
AMERICAN MANUFACTURERS MU	HUALINSURANCE (OMPANY	£	Defendant(s)-Respondent(s)
STATE OF NEW YORK} COUNTY OF SCHENECTADY ss.	}			
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Case 1:07-cv-10639-LAK-AJP A Day Dunyant A SER File of 07/18/2008 Page 7 of 18 **UNITED STATES DISTRICT COURT** FILE NO.: 08-6087 SOUTHERN DISTRICT OF NEW YORK FILED ON: CASE NO.: 07-CV-10639 (LAK) WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS, INC. Plaintiff(s)-Petitioner(s) -VS-AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Defendant(s)-Respondent(s) STATE OF NEW YORK) COUNTY OF SCHENECTADY ss.} I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State. On JULY 14, 2008 at 2:25 P.M. Deponent served a true copy of SUMMORS IN A CIVIL ACTION, FIFTB-PARTY COMPLAINT, NOTICE OF CONFERENCE, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW LIPEUM, ELECTRONIC CASE FILING RULES & INSTRUCTIONS bearing index number: 07-CV-10639and date of filing: upon DIERKS HEATING COMPANY, INC. at address: THE SECRETARY OF STATE, 99 WASHINGTON AVENUE City & State: ALBANY, NEW YORK 12210 MANNER OF SERVICE **PERSONAL** By delivering to and leaving with personally) known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served. SUITABLE AGE PERSON By delivering and leaving with personally} at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion. By delivering and leaving with CAROL VOGT the agent for service on the person in this proceeding designated under Rule 306 BCL. Service having been made to such person at the place, date and time above. AFFIXING TO DOOR, ETC. By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times: **MAILING** Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail __certified mail __registered mail __return receipt requested. Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes. **DESCRIPTION**} deponent describes the person actually served as: Sex: FEMALE Race/Skin Color: WHITE Hair Color/BROWN Approximate Age: 54 years Approximate Height: 5'4" Approximate Weight; 125 pounds Other: Subscribed and sworn before me on JULY 14, 2008 Waren E. Rock #01R06065213 Kathryn A. Rock-McClosky Mark E. McClosky Notary Public, State of New York Commissioner of Deeds Deponent Attorney Info: Qualified in Schenectady County Qualified in Schednectady County Michael A. Cardozo Commission Expires 10/09/2009 Commission Expires //8/27/2004 350 Jay Street - Eighth Floor Brooklyn, New York 11201

Case 1:07-cv-10639-LAK-AJP ADDIDMAN ## SERF # 107/18/2008
UNITED STATES DISTRICT COURT Page 8 of 18 FILE NO.: 08-6087 SOUTHERN DISTRICT OF NEW YORK FILED ON: CASE NO.: 07-CV-10639 (LAK) WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS, INC. Plaintiff(s)-Petitioner(s) -VS-AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Defendant(s)-Respondent(s) STATE OF NEW YORK } COUNTY OF SCHENECTADY ss.} 1, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State. On JULY 14, 2008 at 2:25 P.M. Deponent served a true copy of SUMMORS IN A CIVIL ACTION, FIFTH-PARTY COMPLAINT, NOTICE OF CONFERENCE, INDIVIDUAL PRACTICES OF MAGISTRATE II DGE ANDREW I. FECK, ELECTRONIC CASE FILING RULES & INSTRUCTIONS bearing index number: 07-CV-10639and date of filing: upon SMI-OWEN STEEL COMPANY, INC. at address: THE SECRETARY OF STATE, 99 WASHINGTON AVENUE City & State: ALBANY, NEW YORK 12210 MANNER OF SERVICE PERSONAL By delivering to and leaving with personally) known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served. SUITABLE AGE PERSON By delivering and leaving with personally} at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion. AUTHORIZED AGENT By delivering and leaving with CAROL VOGT the agent for service on the person in this proceeding designated under Rule 306 BCL. Service having been made to such person at the place, date and time above. AFFIXING TO DOOR, ETC. By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times: MAILING Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail __certified mail __registered mail __return receipt requested. Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes. **DESCRIPTION**} deponent describes the person actually served as: Sex:FEMALE Race/Skin Color: WHITE Hair Color, BROWN Approximate Age: 54 years Approximate Height: 5'4" Approximate/Weight: 125 pounds Other: Subscribed and sworn before me on JULY 14, 2008 Karen E. Rock #01R06065213 Kathryn A. Rock-McClosky Mark E. McClosky Notary Public, State of New York Commissioner of Deeds Deponent Qualified in Schenectady County Attorney Info: Qualified in Schednectady County Michael A. Cardozo Commission Expires 10.09/2009 Commission Expires 08/27/2004 350 Jay Street - Eighth Floor

affidavit number: 200811047

Brooklyn, New York 11201

UNITED STATES	:07-cv-10639-LAK-AJI DISTRICT COURT RICT OF NEW YORK		E RWR @E07/18/2 ED ON:	008 Page 9 of 18 FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROS	S CONSTRUCTION ASSOC	CIATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANU	FACTURERS MUTUAL INS	-vs- SURANCE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW Y	ORK} ENECTADY ss.}			
I, Mark E. McClosky not a party in this pro-	y being duly sworn, depose occeeding and resides in Ne	es and says that depone w York State.	nt is over the age (of eighteen years, is
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	nent describes the person a Race/Skin Color	ctually served as:	Hair Color: BRO' Approximate We	WN
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ren E. Rock #01R06065213	Kathryn A. Rock-McClosky		Mark E. M	IcClosky
ntary Public, State of New York sulfified in Schenectady County mmission Expires 10/09/2009	Commissioner of Deeds Qualified in Schednectady County Commission Expires 08/27/2004	Attorney Info: Michael A. Cardozo 350 Jay Street - Eighth Floor	Deponent	
fidavit number: 2008110-	16	Brooklyn, New York 11201		

Case 1:	<mark>07-cv-10639-LAK-AJF</mark> DISTRICT COURT	Approvent de :	se rTile dr07/18	
SOUTHERN DISTI	RICT OF NEW YORK	FI	LED ON:	FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS	S CONSTRUCTION ASSOC	TATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANUE	FACTURERS MUTUAL INS	-vs- SURANCE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW Y	ORK} ENECTADY ss.}			
I, Mark E. McClosky not a party in this pro	being duly sworn, depose exceeding and resides in Ne	es and says that depon w York State.	ent is over the ag	ge of eighteen years, is
upon MATERIALS at address: THE SEC	at 2:25 P.M. SIMMONS IN A CIVIL A UE COPY OF STAMEN BULES A TOT-CV-10639 and date o TESTING LAB, INC. CRETARY OF STATE, 99 NY, NEW YORK 12210	f filing:		FIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PROK, ELECTRO
MANNER OF SERV	ICE}			
SUITABLE AGE PERSON By delivering at the premises	and leaving with personally) which is recipient's actual n	n mentioned and describ	ace of aboda. Sual	roceeding as the person to be served. h person knowing the person to be served
<u>AUTHORIZED AGENT</u>	with initiality and after conve	rising with him/her, de	conent believes hir	n/her to be a suitable age and discretion.
the agent for se	and leaving with) CAROL Vervice on the person in this prace, date and time above.	OGT occeding designated und	ler Rule 306 BCL	. Service having been made to such
By affixing a tr Deponent was to discretion at the following dates	actual place of business, dw	ING ING NEWWAY OF AUTHOR	1700	ice or usual place of abode stated above. in to be served, or a person of suitable age and above after having called there on the
and mailed to th	ie person stated above at addr	ess	ice. The package	iddressed envelope in an official depository was labeled "Personal & Confidential"
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<u>DESCRIPTION}</u> depo Sex:FEMALE	nent describes the person a Race/Skin Color	ectually served as: : WHITE	Hair Color: B	
Approximate Age: 54 Other:	years Approximate He	ight: 5'4"	Approximate	
Subscribed and sworn t	perfore me on JULY 14, 20	008		
aren E Rock #01R06065213	Kathryn A. Rock-McClosky		/ /Mark F	McClosky
Hotary Public, State of New York Qualified in Schenectady County Commission Expires, 10/09/2009	Commissioner of Deeds Qualified in Schednectady County Commission Expires 08/27/2004	Attorney Info: Michael A. Cardozo 350 Jay Street - Eighth Flo	Depone	
ffidavit number: 20081105	i 1	Brooklyn, New York 1120	' [

Case 1:07-cv-10639-LAK-AJP UNITED STATES DISTRICT COURT APPEDIAGENT OF SERVED 97/18/2008 Page 11 of 18 FILE NO.: 08-6087 SOUTHERN DISTRICT OF NEW YORK FILED ON: CASE NO.: 07-CV-10639 (LAK) WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS, INC. Plaintiff(s)-Petitioner(s) -VS-AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Defendant(s)-Respondent(s) STATE OF NEW YORK} COUNTY OF SCHENECTADY ss.} I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State. On JULY 14, 2008 at 2:25 P.M. SUMMONS IN A CIVIL ACTION, FIFTH-PABITY COMPLAINT, NOTICE OF CONFERENCE, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTRONIC
CASE FILING RULES & INSTRUCTIONS Deponent served a true copy of bearing index number: 07-CV-10639and date of filing: udon A. WILLIAMS TRUCKING & BACKHOE TRENCHING, INC. at address: THE SECRETARY OF STATE, 99 WASHINGTON AVENUE City & State: ALBANY, NEW YORK 12210 MANNER OF SERVICE **PERSONAL** By delivering to and leaving with personally} known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served. SUITABLE AGE PERSON By delivering and leaving with personally} at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion. AUTHORIZED AGENT By delivering and leaving with CAROL VOGT the agent for service on the person in this proceeding designated under Rule 306 BCL. Service having been made to such person at the place, date and time above. AFFEXING TO DOOR, ETC. By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times: **MAILING** Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action on against the recipient. The envelope was mailed by first class mail __certified mail __registered mail __return receipt requested. Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes. **DESCRIPTION**} deponent describes the person actually served as: Sex: FEMALE Race/Skin Color: WHITE Hair Color: BROWN Approximate Age: 54 years Approximate Height: 5'4" Approximate Weight: 125 pounds Other: Subscribed and sworn before me on JULY 14, 2008 Karen E. Rock #01R06065213 Kathryn A. Rock-McClosky Mark E. McClosky Notary Public, State of New York Commissioner of Deeds Deponent Qualified in Schenectady County Attorney Infor Qualified in Schednectady County Michael A. Cardozo Commission Expires 10/09/2009

350 Jay Street Eighth Floor Brooklyn, New York 11201

Commission Expires 08/27/2004

SOUTHERN DIST	DISTRICT COURT RICT OF NEW YORK	FIL	ED ON:	8/2008 Page 12 of 18 FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROS	S CONSTRUCTION ASSOC	TATIONS, INC.		Plaintiff(s)-Petitioner(s)
114V:DIOLOLO ALCONO		~VS~		
AMERICAN MANUI	FACTURERS MUTUAL INS	SURANCE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW Y COUNTY OF SCHI	ORK} ENECTADY ss.}			
I, Mark E. McClosky not a party in this pro-	y being duly sworn, depose occeeding and resides in Ne	es and says that depone w York State.	ent is over the a	age of eighteen years, is
upon HUGH O'KA! at address: THE SEC	at 2:25 P.M. stimuors in a civil, a case filing rules a cr: 07-CV-10639and date o NE ELECTRIC CO., L.L.C CRETARY OF STATE, 99 NY, NEW YORK 12210	f filing:		NVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTR
MANNER OF SERV	YICE}			
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and associated <u>AUTHORIZED AGENT</u>	with him/her, and after conve	ersing with him/her, dep	onent believes h	im/her to be a suitable age and discretion.
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the agent for so	ervice on the person in this pr	oceeding designated und	er Rule 303 LLC	. Service having been made to such
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against the recip	pient. The envelope was maile	ed by first class mail	certified mail _	registered mail return receipt requested.
Deponent further states f the State of New York	s upon information and bel ork or the United States as a	ief that said person so the term is defined in e	served is not in	the Military service
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ren E. Rock #01R06065213	Kathryn A. Rock-McClosky		/ Mark	E. McClosky
tary Public, State of New York alified in Schenectady County	Commissioner of Deeds	Attorney Info:	/ Depor	•
mmission Expires 10/09/2009	Qualified in Schednectady County Commission Expires 08/27/2004	Michael A. Cardozo 350 Jay Street - Eighth Floo	r /	
idavit number: 20081105	53	Brooklyn, New York 11201	1	

Case 1:07-cv-10639-LAK-AJP ADPODIMENT & SERTURA 07/18/2008 Page 13 of 18 UNITED STATES DISTRICT COURT FILE NO.: 08-6087 SOUTHERN DISTRICT OF NEW YORK FILED ON: CASE NO.: 07-CV-10639 (LAK) WILLIAM A. GROSS CONSTRUCTION ASSOCIATIONS, INC. Plaintiff(s)-Petitioner(s) AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Defendant(s)-Respondent(s) STATE OF NEW YORK) COUNTY OF SCHENECTADY ss.} I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State. On JULY 14, 2008 at 2:25 P.M. Deponent served a true copy of SUMMONS IN A CIVIL ACTION, FIFTH-PARTY COMPLAINT, NOTICE OF CONFERENCE, INDIVIDIAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTRONIC CASE FILING RULES A INSTRUCTIONS bearing index number: 07-CV-10639and date of filing: upon FIVE STAR ELECTRIC CORPORATION at address: THE SECRETARY OF STATE, 99 WASHINGTON AVENUE City & State: ALBANY, NEW YORK 12210 MANNER OF SERVICE PERSONAL By delivering to and leaving with personally} known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served. SUITABLE AGE PERSON By delivering and leaving with personally} at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion. AUTHORIZED AGENT By delivering and leaving with) CAROL VOGT the agent for service on the person in this proceeding designated under Rule 306 BCL. Service having been made to such person at the place, date and time above. AFFIXING TO DOOR, ETC. By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times: MAILING Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail __certified mail __registered mail __return receipt requested. Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes. **DESCRIPTION**} deponent describes the person actually served as: Sex: FEMALE Race/Skin Color: WHITE Hair Color: BROWN Approximate Age: 54 years Approximate Height: 5'4" Approximate Weight: 125 pounds Other: Subsgribed and sworn before me on JULY 14, 2008 Karen E Rock #01R06065213 Kathryn A. Rock-McClosky Mark E. McClosky Notary Public, State of New York Commissioner of Deeds Deponent Qualified in Schenectady County Attorney Infor Qualified in Schednectady County Commission Expires 10/09/2009 Michael A. Cardozo Commission Expires | 68/27/2004 350 Jay Street - Eighth Floor Brooklyn, New York 11201 affidavit number: 200811050

Case 1:07-cv-10639-L/ UNITED STATES DISTRICT COURS SOUTHERN DISTRICT OF NEW YO	T [*]	FILED ON:	.07/18/2008 Page 14 of 18 FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS CONSTRUCTION	ASSOCIATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANUFACTURERS MUTU	-vs- JAL INSURANCE COMI -	PANY	Defendant(s)-Respondent(s)
STATE OF NEW YORK } COUNTY OF SCHENECTADY ss.}			
I, Mark E. McClosky being duly sworn not a party in this proceeding and reside	, deposes and says that c es in New York State.	leponent is over	the age of eighteen years, is
On JULY 14, 2008 at 2:2. Deponent served a true copy of bearing index number: 07-CV-10639and upon HERITAGE AIR SYSTEMS, INCA at address: THE SECRETARY OF STACITY & State: ALBANY, NEW YORK 1	s in a crivit, action, suffit, pagity codes ing reless a instructions d date of filing: C. ATE, 99 WASHINGTON		PICE, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK, ELECTRON
MANNER OF SERVICE} PERSONAL			
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aren E. Rock #01R06065213 Kathryn A. Rock-McCl otary Public, State of New York Commissioner of Deeds ualified in Schenectady County Qualified in Schednecta ommission Expires 10:09/2009 Commission Expires 08	dy County Attorney Info: Michael A. Cardor	J J	Mark E. McClosky Deponent
fidavit number: 200811048	350 Jay Street - Ei Brooklyn, New Yo		

Case 1:0)7-cv-10639-LAK-AJP	APPOWPPt APSI	$_{\rm R}$ Filed $_{\rm E}$ 07/18/20	08 Page 15 of 18
UNITED STATES D SOUTHERN DISTR	ISTRICT COURT ICT OF NEW YORK	FILI	ED ON:	FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROSS	CONSTRUCTION ASSOCI	ATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANUF	ACTURERS MUTUAL INS	-vs- TRANCE COMPANY		Defendant(s)-Respondent(s)
STATE OF NEW YO COUNTY OF SCHE				
I, Mark E. McClosky not a party in this pro-	being duly sworn, deposes ceeding and resides in New	and says that deponer York State.	nt is over the age of	eighteen years, is
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MANNER OF SERVI	CE}			
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aren E. Rock #01R06065213 otary Public, State of New York inalified in Schenectady County ommission Expires. 10/09/2009	Kathryn A. Rock-McClusky Commissioner of Deeds Qualified in Schednectady County Commission Expires. 08/27/2004	Attorney Info: Michael A. Cardozo 350 Jay Street - Eighth Floor	Mark E. Mo Deponent	cClosky
Sidavit rumbum 20081101	a	Brooklyn, New York 11201	(

UNITED STATES	07-cv-10639-LAK-AJF DISTRICT COURT RICT OF NEW YORK		E RWICE 7/16/200	08 Page 16 of 18 FILE NO.: 08-6087 CASE NO.: 07-CV-10639 (LAK)
WILLIAM A. GROS	S CONSTRUCTION ASSOC	TATIONS, INC.		Plaintiff(s)-Petitioner(s)
AMERICAN MANU	FACTURERS MUTUAL INS	-VS-		
	THE CHERO WET ONE IN	GURANCE CUMPANY		Defendant(s)-Respondent(s)
STATE OF NEW Y COUNTY OF SCHI	ORK} ENECTADY ss.}			
I, Mark E. McClosky not a party in this pre	y being duly sworn, depose oceeding and resides in Ne	es and says that deponer w York State.	nt is over the age of	eighteen years, is
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ren E. Rock #01R06065213	Kathryn A. Rock-McClosky		Mark E. Mo	Closky
tary Public, State of New York alified in Schenectady County	Commissioner of Deeds Qualified in Schednectady County	Attorney Info:	Deponent	
nmission Expires 10/09/2009	Commission Expires 08/27/2004	Michael A. Cardozo 350 Jay Street - Eighth Floor		
idavit number: 20081104	11	Brooklyn, New York 11201		

NEW YORK STATE INSURANCE DEPARTMENT

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STATE OF NEW YORK	: CASE: William H.	coss Const V American Montarturons
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being duly sworn, suys that on the _ 25 Geaver 9.	in the Boroveh of Manhattan	200 B at Number New York City, he served
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with him. Sworn to before me, this		JOHN P. SINNOTT Notary Public, State of New York Na. Ole 1615076019 Qualified H. Queens County Commission Expires May 19, 20

NEW YORK STATE INSURANCE DEPARTMENT

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